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HDP/SB/21 based on PTO/SB/21 (08-00)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/776,312
Filing Date	February 12, 2004
Inventor(s)	Wolfgang GEIGER
Group Art Unit	3736
Examiner Name	Sadaf A. Toor
Attorney Docket Number	32860-000688/US

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Letter to the Official Draftsperson and
____ Sheets of Formal Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ LETTER SUBMITTING APPEAL
BRIEF AND APPEAL BRIEF (w/clean
version of pending claims)

☐ Appeal Communication to Group
(Notice of Appeal, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

**Comments on Examiner's
Statement of Reasons for
Allowance**

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Harness, Dickey & Pierce, P.L.C.

Attorney Name
Ray Heflin

Reg. No.
41,060

Signature

Date

July 27, 2005



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/776,312
Filing Date: February 12, 2004
Applicant: Wolfgang GEIGER
Group Art Unit: 3736
Examiner: Sadaf A. Toor
Title: DIAGNOSTIC ARTICLE
Attorney Docket: 32860-000688/US

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401 Dulany Street
Alexandria, VA 22314
Mail Stop Issue Fee

July 27, 2005

**COMMENTS ON THE EXAMINER'S
STATEMENT OF REASONS FOR ALLOWANCE**

Sir:

Applicant offers the following comments in response to the Examiner's Statement of Reasons for Allowance set forth on pages 2 and 3 of the Notice of Allowability (dated July 28, 2005).

The Reasons for Allowance merely paraphrase only claim 1. However, independent claim 1 should be interpreted only by the limitations present therein, and not by the Examiner's paraphrasing.

Further, the Application includes two independent formulations of the invention, inclusive of independent claims 1 and 16. However, independent claim 16 (which recites some elements in a means-plus-function format) does not recite the terms "holding device," "data evaluation device" or "display device." Accordingly, the Statement should not in any way effect claim 16 as this claim should be construed only based upon terms recited therein.

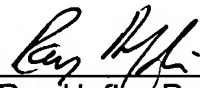
Applicant respectfully submits that each of independent claims 1 and 16 are patentable because of the features recited therein.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By: 
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DJD/HRH:img